

E-Filed 11/19/2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SAN FRANCISCO TECHNOLOGY, INC.,

Plaintiff,

v.

THE DIAL CORPORATION,

Defendant.

Case Number 5:10-cv-04986-JF

ORDER¹ AMENDING BRIEFING
SCHEDULE

Defendant Dial Corporation (“Dial”) moves for administrative relief, requesting that the Court reset the briefing and hearing dates in the above-captioned matter. It intends to respond to the complaint with a motion to dismiss and seeks to adhere to the thirty-five day notice period for motions as required by Civ. L.R. 7-2(a).

Pursuant to the current schedule, Dial was required to answer the complaint by November 15, 2010. Dial argues that it should be treated similarly to other defendants in actions brought by Plaintiff San Francisco Technology, whose motions will be heard on January 20, 2011. Dial relies upon guidance given by the Court at a Case Management Conference on November 5, 2010 at which January 20, 2011 was set as a special hearing date for all Rule 12(b)

¹ This disposition is not designated for publication in the official reports.

1 motions in such cases and the Court directed defendants to abide by the “35-day schedule” under
2 the Local Rules. Transcript at 7:22-25; 8:9-11.

3 Plaintiff opposes the motion, claiming that Dial’s proposed amended briefing schedule
4 will cause it to endure a significant burden. Under Dial’s proposed schedule, Plaintiff’s counsel
5 will have only four business days with which to review and analyze Dial’s motion and prepare
6 an opposition. Plaintiff proposes that Dial’s motion be filed by Friday, November 19, 2010.

7 **ORDER**

8 Having considered the parties’ respective concerns, the Court will adopt the following
9 schedule:

10 Thursday, December 2, 2010	Last day for Dial to move, answer, or
11	otherwise respond to the complaint
12 Thursday, December 16, 2010	Last day for SF Tech to file and serve its
13	opposition, if any
14 Thursday, December 23, 2010	Last day for Dial to file and serve its reply, if
15	any
16 Thursday, January 20, 2011	Hearing date for Dial’s responsive motion

17
18
19
20 **IT IS SO ORDERED.**

21 **DATED: 11/19/10**

22 
23 **JEREMY FOGEL**
24 **United States District Judge**